

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JI SUN JENNIFER KIM
198-05 30th Street
Flushing, NY 11358

Plaintiff,

Docket No. 10 Civ. 6101
(VM)

GOLDBERG, WEPRIN, FINKEL
GOLDSTEIN, LLP
1501 Broadway, 22nd Floor
New York, NY 10036

and

BARRY ZWEIGBAUM
1501 Broadway, 22nd Floor
New York, NY 10036

and

ARNOLD MAZEL
1501 Broadway, 22nd Floor
New York, NY 10036

and

ANDREW ALBSTEIN
1501 Broadway, 22nd Floor
New York, NY 10036

Defendants.
-----X

NOTICE OF MOTION

C O U N S E L O R S :

PLEASE TAKE NOTICE, that upon the that upon the affidavit of Marie Ann Hoenings, Esq., sworn to on the 8th day of November, 2010, the exhibits annexed thereto and the memorandum of law in support dated November 8, 2010, and upon all the pleadings and proceedings heretofore had herein, the undersigned will move this Court before the Honorable Victor Marrero, at the United States Courthouse located at 500 Pearl Street, New York, New York, on the 18th day of November, 2010 or as soon thereafter as counsel may be heard for on Order pursuant to for an order pursuant to Fed.R.Civ.P. 12(b)(6) dismissing each and every claim in the complaint as against the defendants for

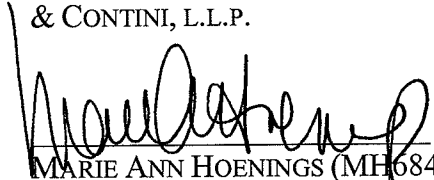
failing to state a claim against them, and for such other and further relief as this Honorable Court may deem just, proper and equitable.

DATED: Garden City, New York
November 8, 2010

Respectfully submitted,

L'ABBATE, BALKAN, COLAVITA
& CONTINI, L.L.P.

By:


MARIE ANN HOENINGS (MH6846)
MARIAN C. RICE (MR7648)
NICOLE FEDER (NF3496)
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File No.: 941-95484

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